

PROCEEDINGS OF THE COMMON COUNCIL
IN Regular SESSION

Tuesday , February 27, 19 73

CITY OF FORT WAYNE, INDIANA
Journal of the Proceedings
of the Common Council

The Common Council of the City of Fort Wayne met in the Council Chambers

Tuesday evening February 27 A.D., 19 73 in Regular
Session. President Winfield C. Moses, Jr., the chair, and Charles W. Westerman
Clerk, at the desk, present the following members _____ viz:

Burns ✓, Hinga A, Kraus A, Nuckols ✓
Moses ✓, Donald Schmidt ✓ Vivian Schmidt ✓ Stier ✓
Talarico ✓ Absent 2, Councilman Hinga Kraus.

The invocation was given by Reverend Lawrence Kramer, St. Andrew's Catholic Church

Received report from the City Controller for the month of _____ 19 ____.

Motion made and carried that report be made a matter of record and placed on file.

The minutes of the last regular February 13, _____, 19 73 Session
having been delivered to the Council, were, on motion, approved as published.



THE CITY OF FORT WAYNE

office of the mayor

COMMUNICATION FROM THE MAYOR

February 14, 1973
To the Common Council
Fort Wayne, Indiana

Gentlemen and Mrs. Schmidt:

Today, February 14, 1973, I have approved the following ordinances passed by the Common Council at its regular meeting on February 13, 1973.

(Bill No. A-73-01-08)
APPROPRIATION ORDINANCE NO. A-02-73

AN ORDINANCE appropriating funds from the unexpended and unappropriated balance of the 1973 Budget of the Aviation Fund.

(Bill No. A-73-01-10)
APPROPRIATION ORDINANCE NO. A-03-73

AN ORDINANCE appropriating salary for the Director of Community Development and Planning for the year 1973.

(Bill No. A-73-01-22)
EMERGENCY APPROPRIATION ORDINANCE NO. A-04-73

AN ORDINANCE appropriating funds for payment of salaries of (2) two Office Clerks in the City Clerk's Office.

(Bill No. S-73-02-15)
SPECIAL ORDINANCE NO. S-11-73

AN ORDINANCE authorizing the Board of Public Works to bid at a foreclosure sale of properties belonging to INDIANA SUBURBAN SEWERS, INC. and SUBURBAN SERVICES, INC.

(Bill No. R-73-02-11)
RESOLUTION NO. R-06-73

A RESOLUTION accepting liability for creditable service pursuant to House Bill 1325.

(Bill No. S-73-01-19)
SPECIAL ORDINANCE NO. S-09-73

AN ORDINANCE approving Agreement with NOBIS-WESTROFF CONST. CO. for installation of a sanitary sewer in the area of Lower Huntington and Winchester Roads.

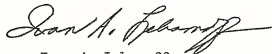
(Bill No. G-73-01-17)
(Amended)
GENERAL ORDINANCE NO. G-03-73

AN ORDINANCE dealing with Motor Vehicle Filling and Service Stations and Car Washes in the Central Business District and providing for penalties for the violation thereof and for the abatement of the same.

(Bill No. S-73-01-21)
SPECIAL ORDINANCE NO. S-10-73

AN ORDINANCE approving Change Order No. 1 of SHAMBAUGH & SON, INC., raising contract price.

Respectfully yours,



Ivan A. Lebamoff
Mayor

MADE A MATTER OF RECORD
DATE 2/27/73 CHARLES W. WESTERMAN, CITY CLERK



City of Fort Wayne

February 23, 1973

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board
of Public Safety Regulatory Resolution Numbered: 10-73/D/

For the purpose of enforcement, please make this communi-
cation and the attached Regulatory Resolutions a matter
of record and incorporate them into the minutes of the
next Common Council Meeting.

Respectfully submitted,

Thomas J. Casaburo
Director of Public Safety



MADE A MATTER OF RECORD
DATE 2/27/73 CHARLES W. WESTERMAN, CITY CLERK

RETURN CERTIFICATE

(Regulatory Resolution No. 10-73 / D)

I hereby certify that I did this 23rd day of February, 19 73 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, The City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana, respectively, a copy of the within Regulatory Resolution No. 10-73 / D of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Secretary of said Board, in accordance with the provisions of Section 20 (a) of Chapter 31, Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance G-55, adopted FEB. 14, 1961.

J. Lawrence Riley by po

EXECUTIVE SECRETARY

REGULATORY RESOLUTION NO. 10-73/D

(Adopted February 23, 19 73)

WHEREAS, Section 20 (a) (2), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55, adopted FEB. 14, 1961, authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 121 of said chapter as so amended delegates to this Board authority to _____
designate No Parking

_____ ; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated February 20, 19 73, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority delegated to this Board by Section 121 of Chapter 31, Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55 adopted FEB. 14. 1961. it is hereby ordered, effective February 23, 19 73, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

A. NO PARKING

1. Cromwell Court - east side - from Masterson Ave. to its south terminus.

STATE OF INDIANA



INDIANAPOLIS

INDIANA STATE HIGHWAY COMMISSION

100 North Senate Avenue
Indianapolis, Indiana 46204

Room 1101, State Office Building
317-633-5816

February 16, 1973

City Clerk
City Building
Fort Wayne, Indiana

Re: US 33
City of Fort Wayne
Allen County
Parking

Dear Sir:

Attached is a copy of a resolution restricting parking on US 33 in and near the City of Fort Wayne, Allen County, as approved by the Indiana State Highway Commission on February 15, 1973.

Very truly yours,

Clinton A. Venable

Clinton A. Venable
Chief, Division of Traffic

cc: Mayor I. Lebamoff
Clerk of Circuit Court
Sheriff R. A. Bender
State Police
Fort Wayne District

CAV/md

MADE A MATTER OF RECORD
DATE 2/27/73 CHARLES W. WESTERMAN, CITY CLERK

NOTICE OF OFFICIAL ACTION
OF
INDIANA STATE HIGHWAY COMMISSION

WHEREAS, under and by virtue of the Statutes of the State of Indiana relative to traffic regulation, the Indiana State Highway Commission has the authority and the duty to adopt and promulgate regulations in the interest of the safety and convenience of the traveling public using the highways, including streets in cities and towns, under the control of said Commission, be it known that the following traffic regulation is hereby adopted:

Parking shall be restricted on US 33 in and near the City of Fort Wayne, Allen County, as follows:

"NO PARKING ANY TIME" on the northeast side of US 33 (Goshen Rd.) from Cambridge Avenue to the northbound on-ramp to I-69, a distance of approximately 1.47 miles.

"NO PARKING ANY TIME" on the southwest side of US 33 (Goshen Rd.) from the intersection of the off-ramp from northbound I-69 with southbound US 33 to Cambridge Avenue, a distance of approximately 1.65 miles.

NOTE: This action amends and/or supercedes previous official action at the above named location(s).

ADOPTED THIS 15 DAY OF February, 19 13

Approved: [Signature] Indiana State Highway Commission
Chief, Division of Traffic

Approved: [Signature]
Chief of Highway Operations

BY: [Signature]
Executive Director

Approved: [Signature]
Chief Highway Engineer

ATTEST:

[Signature]
Secretary to the Commission

February 26, 1973

The Common Council
City of Fort Wayne
Fort Wayne, Indiana

Gentlemen and Mrs. Schmidt:

I will not be able to attend the Council Meeting of February 27, 1973,
due to prior out of town commitments.

Respectfully yours,

William T. Hinga

MADE A MATTER OF RECORD
DATE 2/27/73 CHARLES W. WESTERMAN, CITY CLERK

February 26, 1973

To Common Council
City of Fort Wayne
Fort Wayne, Indiana

Gentlemen and Mrs. Schmidt:

I will not be able to attend the Council Meeting of February 27, 1973,
due to prior out-of-town commitments.

Respectfully yours,

Eugene Kraus, Jr.

MADE A MATTER OF RECORD
DATE 2/27/73 CHARLES W. WESTERMAN, CITY CLERK

RATIFICATION AND ELECTION OF APPOINTMENT

February 27, 1973

Common Council Regular Session
Council Chambers

The Common Council of the City of Fort Wayne, Indiana, held on the above date during the Regular Session of Common Council election for the purpose of filling the appointment pursuant to the law, for the Public Transportation Corporation of Fort Wayne, Indiana.

Said vacancy and appointment by the Common Council of the City of Fort Wayne, Indiana, is to be named by this honorable body and to fill the time beginning March 1, 1973, for a four year tenure and to expire on March 1, 1977. Therefore the President of Common Council called for nominations and he has received the nomination of ~~Mr. Stein~~ *Mr. Stein*, from Councilman *Maas*, and seconded by Councilman *Maas*, and moved that the nomination be closed.

Therefore the election was called, and John Stein, was duly elected as the ratified appointment of the Common Council.


CITY CLERK


PRESIDING OFFICER

ATTEST: (SEAL)

MADE A MATTER OF RECORD
DATE 2/27/73 CHARLES W. WESTERMAN, CITY CLERK

The Council then adjourned.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of the City of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesday the 27th day of February, 19 73; that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 27th day of February, 19 73.

Charles W. Westerman
City Clerk

SEAL

PROCEEDINGS OF THE COMMON COUNCIL
IN REGULAR SESSION
TUESDAY, FEBRUARY 27, 1973

CITY OF FORT WAYNE, INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL

The Common Council of the City of Fort Wayne met in the Council Chambers Tuesday evening February 27, A.D., 1973 in Regular Session. President Winfield C. Moses, Jr. in the chair, and Charles W. Westerman Clerk, at the desk, present the following members seven viz:

Burns, Moses, Nuckols, Donald Schmidt, Vivian Schmidt, Stier, Talarico
Absent: Hinga, Kraus

The invocation was given by Reverend Lawrence Kramer, St. Andrew's Catholic Church.

The minutes of the last regular February 13, 1973 Session having been delivered to the Council, were, on motion, approved as published.

COMMUNICATION FROM THE MAYOR

February 14, 1973
To the Common Council
Fort Wayne, Indiana

Gentlemen and Mrs. Schmidt:

Today, February 14, 1973, I have approved the following ordinances passed by the Common Council at its regular meeting on February 13, 1973.

(Bill No. A-73-01-08)
APPROPRIATION ORDINANCE NO. A-02-73

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(Bill No. A-73-01-10)
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AN ORDINANCE appropriating salary for the Director of Community Development and Planning for the year 1973.

(Bill No. A-73-01-22)
EMERGENCY APPROPRIATION ORDINANCE NO. A-04-73

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SPECIAL ORDINANCE NO. S-11-73

AN ORDINANCE authorizing the Board of Public Works to bid at a foreclosure sale of properties belonging to INDIANA SUBURBAN SEWERS, INC. and SUBURBAN SERVICES, INC.

(Bill No. R-73-02-11)
RESOLUTION NO. R-06-73

A RESOLUTION accepting liability for creditable service pursuant to House Bill 1325.

(Bill No. S-73-01-19)
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AN ORDINANCE approving Agreement with NOBIS-WESTROPP CONST. CO. for installation of a sanitary sewer in the area of Lower Huntington and Winchester Roads.

(Bill No. G-73-01-17)
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AN ORDINANCE dealing with Motor Vehicle Filling and Service Stations and Car Washes in the Central Business District and providing for penalties for the violation thereof and for the abatement of the same.

(Bill No. S-73-01-21)
SPECIAL ORDINANCE NO. S-10-73

AN ORDINANCE approving Change Order No. 1 of SHAMBAUGH & SON, INC., raising contract price.

Respectfully yours,

Ivan A. Lebamoff
Mayor

Made a matter of record 2-27-73

Charles W. Westerman
City Clerk

COMMUNICATION FROM THE BOARD OF PUBLIC SAFETY

February 23, 1973

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Numbered: 10-73/D.

For the purpose of enforcement, please make this communication and the attached Regulatory Resolution a matter of record and incorporate them into the minutes of the next Common Council Meeting.

Respectfully submitted,

Thomas J. Casaburo
Director of Public Safety

Made a matter of record 2-27-73

Charles W. Westerman
City Clerk

RETURN CERTIFICATE
(Regulatory Resolution No. 10-73/D)

I hereby certify that I did this 23rd day of February, 1973 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana, respectively, a copy of the within Regulatory Resolution No. 10-73/D of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Secretary of said Board, in accordance with the provisions of Section 20 (a) of Chapter 31, Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance G-55 adopted FEB. 14, 1961.

J. Lawrence Riley, by S.S.

Executive Secretary

REGULATORY RESOLUTION NO. 10-73/D
(Adopted February 23, 1973)

WHEREAS, Section 20 (a) (2), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55, adopted FEB. 14, 1961 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 121 of said chapter as so amended delegates to this Board authority to designate No Parking; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated February 20, 1973, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority delegated to this Board by Section 121 of Chapter 31, Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No. G-55 adopted FEB. 14, 1961 it is hereby ordered, effective February 23, 1973, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

A. NO PARKING

1. Cromwell Court - east side - from Masterson Avenue to its south terminus.

COMMUNICATION FROM INDIANA STATE HIGHWAY COMMISSION

February 16, 1973

City Clerk
City Building
Fort Wayne, Indiana

RE: US 33
City of Fort Wayne
Allen County
Parking

Dear Sir:

Attached is a copy of a resolution restricting parking on US 33 in and near the City of Fort Wayne, Allen County, as approved by the Indiana State Highway Commission on February 15, 1973.

Very truly yours,

Clinton A. Venable
Chief, Division of Traffic

cc: Mayor I. Lebamoff
Clerk of Circuit Court
Sheriff R. A. Bender
State Police
Fort Wayne District

CAV/md

Made a matter or record 2-27-73

Charles W. Westerman
City Clerk

NOTICE OF OFFICIAL ACTION
OF
INDIANA STATE HIGHWAY COMMISSION

WHEREAS, under and by virtue of the Statutes of the State of Indiana relative to traffic regulation, the Indiana State Highway Commission has the authority and the duty to adopt and promulgate regulations in the interest of the safety and convenience of the traveling public using the highways, including streets in cities and towns, under the control of said Commission, be it known that the following traffic regulation is hereby adopted:

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"NO PARKING ANY TIME" on the southwest side of US 33 (Goshen Road) from the intersection of the off-ramp from northbound I-69 with southbound US 33 to Cambridge Avenue, a distance of approximately 1.65 miles.

NOTE: This action amends and/or supercedes previous official action at the above named location(s).

ADOPTED THIS 15 DAY OF FEBRUARY, 1973

Approved: _____ Indiana State Highway Commission
Chief, Division of Traffic

Approved: G. Hallock BY: R. H. Harrell
Chief of Highway Operations Executive Director

Approved: _____ ATTEST:
Chief Highway Engineer

David L. Waggoner
Secretary to the Commission

RATIFICATION AND ELECTION OF APPOINTMENT

February 27, 1973

Common Council Regular Session
Council Chambers

The Common Council of the City of Fort Wayne, Indiana, held on the above date during the Regular Session of Common Council election for the purpose of filling the appointment pursuant to the law, for the Public Transportation Corporation of Fort Wayne, Indiana.

Said vacancy and appointment by the Common Council of the City of Fort Wayne, Indiana, is to be named by this honorable body and to fill the time beginning March 1, 1973, for a four year tenure and to expire on March 1, 1977. Therefore the President of Common Council called for nominations and he has received the nomination of John Stein, from Councilman Talarico, and seconded by Councilman Moses, and moved that the nomination be closed.

Therefore the election was called, and John Stein, was duly elected as the ratified appointment of the Common Council.

Charles W. Westerman

CITY CLERK

Winfield C. Moses, Jr.

PRESIDING OFFICER

ATTEST: (SEAL)

Made a matter of record 2-27-73

Charles W. Westerman
City Clerk

COMMUNICATIONS FROM COUNCILMEN

February 26, 1973

The Common Council
City of Fort Wayne
Fort Wayne, Indiana 46807

Gentlemen and Mrs. Schmidt;

I will not be able to attend the Council Meeting of February 27, 1973, due to prior out of town commitments.

Respectfully yours,

William T. Hinga
Councilman

Made a matter of record 2-27-73

Charles W. Westerman
City Clerk

February 26, 1973

The Common Council
City of Fort Wayne
Fort Wayne, Indiana 46807

Gentlemen and Mrs. Schmidt:

I will not be able to attend the Council Meeting of February 27, 1973, due to prior out of town commitments.

Respectfully yours,

Eugene Kraus, Jr.
Councilman

BILL NO. A -73-02-16

APPROPRIATION ORDINANCE NO. A-_____

AN EMERGENCY APPROPRIATION ORDINANCE transferring funds from Account No. 23 to Account No. 23-87-1-11 in the 1973 Budget of the City of Fort Wayne, Redevelopment Commission.

WHEREAS, in order to maximize the efficiency and economy of the Redevelopment Commission, it is essential that a full time real estate office be employed under direct supervision of the commission; and

WHEREAS, there are sufficient funds in Account No. 23, Redevelopment General Fund for the maximization of the efficiency and economy of the Redevelopment Commission.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the sum of \$5,000.00 is hereby transferred from Account No. 23, Redevelopment General Fund to Account No. 23-87-1-11, Salaries and Wages in the 1973 Budget of the City of Fort Wayne, Redevelopment Commission.

SECTION 2. That the unappropriated and unexpended balance of Account No. 23, Redevelopment General Fund is hereby reduced in the amount of \$5,000.00.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the first time in full and on motion by Nuckols, seconded by V. Schmidt, and duly adopted, read the second time by title and referred to the Committee on Finance, and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on Tuesday, the 13th day of March, 1973, at 7:30 o'clock P.M., E.S.T.

Date: 2-27-73

Charles W. Westerman
City Clerk

BILL NO. A-73-02-17

APPROPRIATION ORDINANCE NO. A-_____

AN EMERGENCY APPROPRIATION ORDINANCE transferring funds from Account No. 23-87-2-261 to Account No. 23-87-1-11 in the 1973 Budget of the City of Fort Wayne, Redevelopment Commission.

WHEREAS, in order maximize the efficiency and economy of the Redevelopment Commission, it is essential that a full time real estate office be employed under direct supervision of the Commission; and

WHEREAS, there are sufficient funds in Account No. 23-87-2-261, Services Contractual for the maximization of the efficiency and economy of the Redevelopment Commission.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the sum of \$5,000.00 is hereby transferred from Account No. 23-87-2-261, Services Contractual to Account No. 23-87-1-11, Salaries and Wages in the 1973 Budget of the City of Fort Wayne, Redevelopment Commission.

SECTION 2. That the unappropriated and unexpended balance of Account No. 23-87-2-261, Services Contractual is hereby reduced in the amount of \$5,000.00.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Muckols
Councilman

Read the first time in full and on motion by Muckols, seconded by V. Schmidt, and duly adopted, read the second time by title and referred to the Committee on Finance and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana on Tuesday, the 13th day of March, 1973, at 7:30 o'clock P.M., E.S.T.

Date: 2-27-73

Charles W. Westerman
City Clerk

BILL NO. A-73-02-18

APPROPRIATION ORDINANCE NO. _____

AN ORDINANCE transferring certain funds from the unobligated and unappropriated balance of the Cumulative Capital Improvement Fund to Account No. 45-8-81, Debt Payment.

WHEREAS, in preparing the budget for 1973, the Line Item for paying the Inner City Storm Relief Bond Retirement was not included in the final copy submitted to Council; and

WHEREAS, cash for said fund was projected correctly for 1973 and therefore is adequate for the appropriation; and

WHEREAS, there will continue to be a positive cash balance in reserve for emergencies.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That there is hereby transferred from the unobligated and unappropriated balance of the Cumulative Capital Improvement Fund, the sum of \$252,800.00 to Account No. 45-8-81, Debt Payment, in the 1973 Budget of the City of Fort Wayne.

SECTION 2. That the unobligated and unappropriated balance of the Cumulative Capital Improvement Fund is hereby reduced in the amount of \$252,800.00.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the first time in full and on motion by Nuckols, seconded by V. Schmidt, and duly adopted, read the second time by title and referred to the Committee on Finance and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on Tuesday, the 13th day of March, 1973, at 7:30 o'clock P.M., E.S.T.

Date: 2-27-73

Charles W. Westerman
City Clerk

BILL NO. S-73-02-19

SPECIAL ORDINANCE NO. S-_____

AN ORDINANCE approving a certain bid document with ALLEN COUNTY MOTORS, INC. for (1) Van type Truck 1973.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, INDIANA:

SECTION 1. A certain bid document Ref. No. 500 dated February 9, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, for:

ALLEN COUNTY MOTORS, INC.

(1) Van type Truck 1973 - no trade in \$3,190.00

as more specifically set forth in said bid document Ref. No. 500 and Purchase Order No. 3-13203 which are on file in the office of the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the first time in full and on motion by Nuckols, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on Finance.

Date: 2-27-73

Charles W. Westerman
City Clerk

BILL NO. S-73-02-20

SPECIAL ORDINANCE NO. S-_____

AN ORDINANCE approving a certain bid document with ALLEN COUNTY MOTORS, INC. for (1) $\frac{1}{2}$ Ton Pick Up Truck 1973.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 501 dated February 12, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, for:

ALLEN COUNTY MOTORS, INC.

(1) $\frac{1}{2}$ Ton Pick Up Truck 1973
With trade-in

\$2,440.00

as more specifically set forth in said bid document Ref. No. 501 and Purchase Order No. 3-13204 which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

James S. Stier
Councilman

Read the first time in full and on motion by Stier, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on Public Works.

Date: 2-27-73

Charles W. Westerman
City Clerk

BILL NO. S-73-02-21

SPECIAL ORDINANCE NO. S-_____

AN ORDINANCE approving an Agreement with BERCOT INC. for construction of a water line in Woodland Acres Addition.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Agreement approved February 13, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and BERCOT, INC. for installation of a water line, to be constructed and installed as follows:

1770± feet of 6 inch water main in and along the north side of Oakwood Dr., from the west property line of Hessen Cassel Road to the west property line of Lot 16, also along the west side of Waycross Dr., from the north property line of Oakwood Dr., to the north property line of lot 19, all in Woodland Acres Addition and said water main with all its appurtenances shall be constructed in accordance with the profile and specifications now on file in the office of the Department of Public Works of said City.

for a total cost of \$20,141.00 on which the City will be paying \$2,016.70 with balance paid by property owners, all as more particularly set forth in said Agreement, which is on file in the Office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

James S. Stier
Councilman

Read the first time in full and on motion by Stier, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on Public Works.

Date: 2-27-73

Charles W. Westerman
City Clerk

BILL NO. S-73-02-22

SPECIAL ORDINANCE NO. S-_____

AN ORDINANCE approving Agreement with BERCOT, INC. for construction of the Neuhaus Ditch Sanitary Sewer.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Sewer Agreement dated July 10, 1972 between BERCOT, INC. as Developer, and the CITY OF FORT WAYNE, by and through its Mayor and Board of Public Works, for the construction of a sanitary sewer in the Neuhaus Ditch area, as follows:

Branch Sewer

Beginning at an existing chamber located 148± L. F. South and 50 ± L. F. West of the Southeast corner of Northeast $\frac{1}{4}$ of Southwest $\frac{1}{4}$ of Section 27; thence, turning an interior angle of 63° 52' and project a distance of 220 ± L. F. West; thence, turning South and projecting a distance of 347 feet; thence, turning an angle of 131° 34' South and project a distance of 491 feet; thence, turning an angle of 149° 35' and projecting a distance of 1,174 feet; thence, turning an angle of 156° and projecting a distance of 384 feet terminating at a proposed manhole.

Lateral #1

Beginning at a new manhole located 28± L. F. of the North right of way of Goshen Road (U.S. Hwy. #33); thence, Northwesterly along said North right of way a distance of 3,218 ± L. F. terminating a proposed manhole.

Lateral #1-A

Beginning at a new manhole located 36 ± L. F. South of the Northeast corner of the right of way intersection of Harris and Goshen Roads; thence, North along the East right of way of Harris Road a distance of 1,200 ± L.F. terminating at a proposed manhole.

Lateral #2

Beginning at a new manhole located 27 ± L. F. North and 8 ± L. F. West of the Southwest corner of Lot #1 in Crestwood Addition Amended; thence, turning an angle to the North of 73° and projecting a distance of 450 feet to the right of way of Butler Road; thence, Northeasterly along the South right of way of Butler Road for a distance of 1,034 feet terminating at a proposed manhole.

Lateral #2-A

Beginning at a new manhole located 15 feet North and 5 feet East of the centerline intersection of Butler Road and Butler Court; thence, Northwesterly along the East right of way of Butler Court a distance of 1,094± L. F. terminating at a proposed manhole.

Said sewers shall be 27, 10 and 8 inches in diameter.

All located in the Southwest $\frac{1}{4}$ Section 27, Township 31 North, Range 12 East.

the total cost of said sewer to be \$217,773.65, the City's share of the project to be approximately \$140,571.65 with the balance to be paid by the property owners, all as more particularly set forth in said Sewer Agreement, which is on file in the office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. That the developer, and any owner or owners of land, their successors in title and assigns, which is now or may hereafter be located outside the corporate limits of the City of Fort Wayne, Indiana, who taps into the sewer main covered in said Agreement, or any extension thereof, shall be deemed to thereby waive his, her, their or its right to remonstrate against or otherwise object to, interfere with, or oppose any pending or future annexation by said City of Fort Wayne, Indiana, of such land or territory in which said land is located.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

James S. Stier
Councilman

Read the first time in full and on motion by Stier, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on Public Works.

Date: 2-27-73

Charles W. Westerman
City Clerk

BILL NO. Z-73-02-28

ZONING MAP ORDINANCE NO. Z-_____

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. H6, H8, J8.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated an M3 district under the terms of Chapter 26, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. H6, H8, J8 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

NW $\frac{1}{4}$ of Sec. 21 Twp. 30 N. Range 13 East in Allen County, Indiana

NE $\frac{1}{4}$ of Sec. 21 Twp. 30 N. Range 13 East in Allen County, Indiana

SW $\frac{1}{4}$ of Sec. 16 Twp. 30 N. Range 13 East in Allen County,
Indiana

generally located south of Moeller Road, east of Meyers
Road, and west of Adams Center Road.

SECTION 2. This Ordinance shall be in full force and effect from and after
its passage and approval by the Mayor and legal publication thereof.

John Muckols
Councilman

Read the first time in full and on motion by Muckols, seconded by V.
Schmidt, and duly adopted, read the second time by title and referred to the
Committee on Regulations and to the City Plan Commission for recommendation.

Date: 2-27-73

Charles W. Westerman
City Clerk

BILL NO. Z-73-02-29

ZONING MAP ORDINANCE NO. Z-_____

AN ORDINANCE amending the City of Fort
Wayne Zoning Map No. GG 5

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a
B3B district under the terms of Chapter 26, Municipal Code of the City of Fort
Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments
thereof; and the symbols of the City of Fort Wayne Zoning Map No. GG5 referred
to therein, established by Section 9, Article III of said Chapter as amended, is
hereby changed accordingly, to-wit:

A parcel of land in the Northwest quarter of Section
5, Township 30 North, Range 12 East, Allen County,
Indiana, and more particularly described as follows,
to-wit:

Beginning at a point 908.4 feet West, and 1576.63 feet
South of the Northeast Corner of the Northwest quarter
of Section 5, Township 30 North, Range 12 East; thence
East 356.0 feet to a point on the centerline of Thomas
Road; thence South on and along the centerline of the
Thomas Road a distance of 360.31 feet to a point on the
North line of the New York, Chicago, & St. Louis rail-
road; thence West on and along the North line of the
New York, Chicago & St. Louis railroad, a distance of
358.4 feet to a point; thence North and parallel to the
centerline of the Thomas Road to the point of beginning,
containing 2.964 acres, more or less.

SECTION 2. This Ordinance shall be in full force and effect from and after
its passage and approval by the Mayor and legal publication thereof.

John Muckols
Councilman

Read the first time in full and on motion by Nuckols, seconded by V. Schmidt, and duly adopted, read the second time by title and referred to the Committee on Regulations and to the City Plan Commission for recommendation.

Date: 2-27-73

Charles W. Westerman
City Clerk

BILL NO. S-73-01-11

REPORT OF THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred an Ordinance approving a certain bid document with SHAMBAUGH AND SON for construction of a pumping station at McMillen Park Golf Course have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS.

John Nuckols
James S. Stier
Samuel J. Talarico
Paul M. Burns

Concurred in 2-27-73

Charles W. Westerman
City Clerk

BILL NO. S-73-01-11

SPECIAL ORDINANCE NO. S-08-73

AN ORDINANCE approving a certain bid document with SHAMBAUGH AND SON for construction of a pumping station at McMillen Park Golf Course.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Reference No. 495 dated December 12, 1972 between the City of Fort Wayne, by and through its Mayor and the Board of Park Commissioners, and SHAMBAUGH AND SON, for

Construction of a Pumping System
for McMillen Park Golf Course \$8,643.00

as more specifically set forth in said bid document Reference No. 495 and Purchase Order No. P. O. 3-11938, which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read for revote due to the lack of action by the Mayor when presented to him for his approval on the 14th day of February, 1973. Therefore S-73-01-11 is placed on motion by Nuckols and seconded by Stier, and duly adopted, by a 2/3 vote of the Councilmen duly elected and placed on its repassage by the following vote. PASSED by the following vote.

Ayes: Seven
 Burns, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
 Nays: None
 Absent: Two
 Hinga, Kraus

Date: 2-27-73

Charles W. Westerman
 City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-08-73 on the 27th day of February, 1973.

ATTEST: (SEAL)

Charles W. Westerman
 City Clerk

Winfield C. Moses, Jr.
 Presiding Officer

BILL NO. S-73-02-01

REPORT OF THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred an Ordinance approving Board of Public Works Resolution to purchase real estate from the Ohio Plate Glass Company have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS.

William T. Hinga
 John Nuckols
 James S. Stier
 Samuel J. Talarico
 Paul M. Burns

Concurred in 2-27-73

Charles W. Westerman
 City Clerk

BILL NO. S-73-02-01

SPECIAL ORDINANCE NO. S-12-73

AN ORDINANCE approving Board of Public Works Resolution to purchase real estate from the Ohio Plate Glass Company.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Resolution of the Board of Public Works, adopted December 21, 1972, to purchase real estate from the Ohio Plate Glass Company,

said property being Lots 172, 173, 174, 175 and 205, Lewis Addition, commonly known as 415-419 East Wallace and 440 and 444 East Wallace, for the price of \$75,000.00, all as more particularly set forth in proposal to purchase which is on file in the office of the Board of Public Works and is by reference incorporated herein and made a part hereof, is in all things hereby ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Nuckols, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Hinga, Kraus

Date: 2-27-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-12-73 on the 27th day of February, 1973.

ATTEST: (SEAL)

Presented by me to the acting Mayor, City Controller of the City of Fort Wayne, Indiana, on the 28th day of February, 1973, at the hour of 7:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 5th day of March, 1973, at the hour of 4:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

SUSPENSION OF RULES

BILL NO. S-73-02-23

Councilman Nuckols, moved to suspend the rules on passage of BILL NO. S-73-02-23, at this meeting of February 27, 1973, of the Common Council of the City of Fort Wayne, Indiana. Said motion was seconded by Councilman Talarico, and duly passed by unanimous vote of all legally elected members of the said Common Council. The above BILL and S-13-73, Special Ordinance was accordingly placed on its passage.

DATE: 2-27-73

Winfield C. Moses, Jr.
Presiding Officer

Charles W. Westerman
City Clerk

Ayes: Seven
Burns, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Hinga, Kraus

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana,
as Special Ordinance No. S-13-73.

ATTEST: (SEAL)

DATE: 2-27-73

Charles W. Westerman
City Clerk

BILL NO. S-73-02-23

SPECIAL ORDINANCE NO. S-13-73

AN ORDINANCE approving contract with
GENERAL ELECTRIC COMPANY for equipment
to be used on the Washington-Maumee
Lighting Project.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain contract approved February 22, 1973, between the City
of Fort Wayne, by and through its Mayor and the Board of Public Works, and
GENERAL ELECTRIC COMPANY, FOR:

100 G.E. LU 250 Watt High
Pressure Sodium Lamps \$2,310.00

all for a total cost of \$2,310.00 all as more particularly set forth on CITY
UTILITIES PURCHASE ORDER NO. 9568, which is by reference incorporated herein
and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after
its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Talarico,
and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Hinga, Kraus

Date: 2-27-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-13-73 on the 27th day of February, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me^{to} the acting Mayor, City Controller of the City of Fort Wayne, Indiana, on the 28th day of February, 1973, at the hour of 7:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 5th day of March, 1973, at the hour of 4:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

SUSPENSION OF RULES

BILL NO. S-73-02-25

Councilman Nuckols, moved to suspend the rules on passage of BILL NO. S-73-02-25, at this meeting of February 27, 1973, of the Common Council of the City of Fort Wayne, Indiana. Said motion was seconded by Councilman Talarico, and duly passed by unanimous vote of all legally elected members of the said Common Council. The above BILL and SPECIAL ORDINANCE No. S-14-73 was accordingly placed on its passage.

DATE: 2-27-73

Winfield C. Moses, Jr.
Presiding Officer

Charles W. Westerman
City Clerk

Ayes: Seven
Burns, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Hinga, Kraus

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-14-73

ATTEST: (SEAL)

DATE: 2-27-73

Charles W. Westerman
City Clerk

BILL NO. S-73-02-25

SPECIAL ORDINANCE NO. S-14-73

AN ORDINANCE approving contract with
GENERAL ELECTRIC COMPANY for equipment
to be used on the Washington-Maumee
Lighting Project.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain contract approved February 22, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and GENERAL ELECTRIC COMPANY, for:

100 G. E. 250 watt Lucalox Luminaires
Cat. #C724G573 with no P E receptacle
with 240 volt regulator ballast. \$9,800.00

for a total cost of \$9,800.00, all as more particularly set forth on CITY UTILITIES PURCHASE ORDER NO. 9570, which is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Hinga, Kraus

Date: 2-27-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-14-73 on the 27th day of February, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the acting Mayor, City Controller of the City of Fort Wayne, Indiana, on the 28th day of February, 1973, at the hour of 7:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 5th day of March, 1973, at the hour of 4:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

SUSPENSION OF RULES

BILL NO. S-73-02-26

Councilman Nuckols, moved to suspend the rules on passage of BILL NO. S-73-02-26, at this meeting of February 27, 1973, of the Common Council of the City of Fort Wayne, Indiana. Said motion was seconded by Councilman V. Schmidt, and duly passed by unanimous vote of all legally elected members of the said Common Council. The above BILL and SPECIAL ORDINANCE NO. S-15-73 was accordingly placed on its passage.

DATE: 2-27-73

Winfield C. Moses, Jr.
Presiding Officer

Charles W. Westerman
City Clerk

Ayes: Seven

Burns, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico

Nays: None

Absent: Two

Hinga, Kraus

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-15-73.

ATTEST: (SEAL)

DATE: 2-27-73

Charles W. Westerman
City Clerk

BILL NO. S-73-02-26

SPECIAL ORDINANCE NO. S-15-73

AN ORDINANCE approving Fort Wayne Redevelopment Commission resolution to purchase real estate from the City of Fort Wayne.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Resolution of the Fort Wayne Redevelopment Commission to purchase real estate from the City of Fort Wayne, said property being Parcel 6-14, being

Lot 31 in County Addition to the Town, now City of Fort Wayne, Indiana according to the recorded plat thereof

commonly known as 319 Main Street; and Parcel 7-5, being

Part of Lot 40 TABER'S ADDITION to the City of Fort Wayne, Indiana as recopied and recorded in Plat "O", Page 6, in the office of the Recorder of Allen County, lying Southwesterly of the right-of-way of the former New York, Chicago and St. Louis Railroad, now the Norfolk and Western Railway, as established by the Michael Baker, Jr. survey of 1947, known as "Old Fort Park" and by metes and bounds described as follows to-wit:

Commencing on the West line of said Lot 40 being coincidental with the East line of Lot 39 in COUNTY ADDITION to the City of Fort Wayne as recopied and recorded in Plat Book "O", page 3, at a point situated 22 feet normally distant Northerly of the North line of Main Street and 22.3 feet North of the South corner of said Lot 40; thence North 1 degree 30 minuted West (adjusted Baker bearing), a distance of 95.4 feet, more or less, to the Southwesterly right-of-way line of said railroad; thence south 58 degrees 20 minutes East on the line aforesaid, a distance of 131.1 feet to the West line of Clay Street as in said plat of TABER'S ADDITION established; thence South 33 degrees 16 minutes West, a distance of 4.3 feet, more or less, to a point situated 22 feet normally distant North of the North line of Main Street; thence South 78 degrees 20 minutes West on a line parallel to said Main Street, a distance of 108.4 feet to the point of beginning; containing 5350 square feet or, 0.123 acres, more or less

all for the total price of \$131,362.00, as more particularly set forth in proposal to purchase which is on file in the office of the Fort Wayne Redevelopment Commission and is by reference incorporated herein and made a part hereof, is in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Nuckols, Moses, D.Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Hinga, Kraus

Date: 2-27-73

Charles W. Westerman
City Clerk

Read the third time in full and on motion by Nuckols, seconded by Talarico and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Hinga, Kraus

Date: 2-27-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-15-73 on the 27th day of February, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the acting Mayor, City Controller of the City of Fort Wayne, Indiana, on the 28th day of February, 1973, at the hour of 7:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 5th day of March, 1973, at the hour of 4:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

SUSPENSION OF RULES

BILL NO. S-73-02-27

Councilman Nuckols, moved to suspend the rules on passage of BILL NO. S-73-02-27, at this meeting of February 27, 1973, of the Common Council of the City of Fort Wayne, Indiana. Said motion was seconded by Councilman Talarico, and duly passed by unanimous vote of all legally elected members of the said Common Council. The above BILL and SPECIAL ORDINANCE NO. S-16-73 was accordingly placed on its passage.

DATE: 2-27-73

Winfield C. Moses, Jr.
Presiding Officer

Charles W. Westerman
City Clerk

Ayes: Burns, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Hinga, Kraus

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-16-73.

ATTEST: (SEAL)

DATE: 2-27-73

Charles W. Westerman
City Clerk

BILL NO. S-73-02-27

SPECIAL ORDINANCE NO. S-16-73

AN ORDINANCE approving City of Fort Wayne Resolution to purchase real estate from the Fort Wayne Redevelopment Commission.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Resolution of the City of Fort Wayne, Department of Redevelopment, adopted December 11, 1972, said property being:

Lot 24, TOGETHER with those parts of Lots 23, 22, and 21, lying Southwesterly of the right-of-way of former New York, Chicago, and St. Louis Railroad, now the Norfolk and Western Railway, as established by the Michael Baker, Jr. Survey of 1947 in COUNTY ADDITION;

ALSO, Lots 35, 36, 37, EXCEPT the South 22 feet thereof, TOGETHER with those Parts of Lots 38 and 39, EXCEPT the South 22 feet thereof, lying Southerly and Westerly of 2290 square feet of land conveyed to the former New York Chicago and St. Louis Railroad Company by Instrument recorded in Deed Record 484, pages 375-376;

TOGETHER with VACATED alleys situated between and adjacent to the aforesaid lots.

ALL being a Part of COUNTY ADDITION to the City of Fort Wayne as re-copied and recorded in Plat Book "O", page 3, in the Office of the Recorder of Allen County;

and by metes and bounds described as follows to-wit:

Commencing at the Northwest corner of Lot 24 in said COUNTY ADDITION, defined as the intersection of the South line of Columbia Street by the East line of Lafayette Street as platted; thence North 78 degrees 20 minutes East (Adjusted Baker Bearing), a distance of 110.0 feet; thence South 58 degrees 20 minutes East along the Southwesterly right-of-way line of said Railroad, a distance of 235.8 feet, more or less, to a point on the Southerly line of a VACATED 14-foot wide alley; thence South 78 degrees 17 minutes 58.8 seconds west along said Southerly line of said VACATED alley, a distance of 30 feet; thence South 11 degrees 42 minutes

10.9 seconds East, a distance of 29.92 feet to a point; thence South 80 degrees 39 minutes 45.3 seconds East, a distance of 69.31 feet to the East line of Lot 39, being coincidental with the East line of COUNTY ADDITION to a point by deed situated 18.89 feet, more or less, South of the right-of-way line of said Railway; thence South 1 degree 30 minutes East on the East line of said COUNTY ADDITION, a distance of 76.5 feet, more or less, to a point situated 22 feet normally distant Northerly of the North line of Main Street, as in said Plat recorded; thence South 78 degrees 20 minutes West on a line parallel to said Main Street and a distance of 304.0 feet to the West line of Lot 35 in said Addition, being also situated on the East line of Lafayette Street, at a point situated 22 feet Northerly of the Southwest corner of said Lot 35; thence North 11 degrees 40 minutes West along the East line of Lafayette Street, a distance of 292 feet to the point of beginning; containing 69,650 square feet, more or less, or, 1.599 acres, more or less;

ALSO, Part of Lot 40 TABER'S ADDITION to the City of Fort Wayne, Indiana, as recopied and recorded in plat "O", page 6, in the office of the Recorder of Allen County, lying Southwesterly of the right-of-way of the former New York, Chicago and St. Louis Railroad, now the Norfolk and Western Railway, as established by the Michael Baker, Jr. survey of 1947, known as "Old Fort Park" and by metes and bounds described as follows to-wit:

Commencing on the West line of said Lot 40 being coincidental with the East line of Lot 39 in COUNTY ADDITION to the City of Fort Wayne as recopied and recorded in Plat Book "O", page 3 at a point situated 22 feet normally distant Northerly of the North line of Main Street and 22.3 feet North of the South corner of said Lot 40; thence North 1 degree 30 minutes West (adjusted Baker bearing), a distance of 95.4 feet, more or less, to the Southwesterly right-of-way line of said railroad; thence South 58 degrees 20 minutes East on the line aforesaid, a distance of 131.1 feet to the West line of Clay Street as in said plat of TABER'S ADDITION established; thence South 33 degrees 16 minutes West, a distance of 4.3 feet, more or less, to a point situated 22 feet normally distant North of the North line of Main Street; thence South 78 degrees 20 minutes West on a line parallel to said Main Street, a distance of 108.4 feet to the point of beginning; containing 5350 square feet or, 0.123 acres, more or less;

The two tracts heretofore described have a COMBINED AREA of 75,000 square feet or, 1.722 acres.

NOTE: (1) The foregoing descriptions are based on current field measurements along Lafayette Street, and computations from the Michael Baker, Jr. survey, SHEET 3 of 6, Scale: 1 inch=50 feet, dated June 14, 1947

- (2) The 0.6-foot shortage in the block, indicated on said Baker Survey along Lafayette Street between Main Street and Columbia Street does not exist, using present curb lines on Columbia Street, Main Street, and the first alley South thereof.
- (3) Bearings used in Deed Record 484, pages 375-376, appear to conform with the Baker Survey bearings. However, the bearing for the East line of COUNTY ADDITION is not indicated on the Baker Survey and the bearing in the deed aforesaid and our computed bearing do not agree.

all for the total price of \$109,751.80, as more particularly set forth in proposal to purchase which is on file in the office of the City of Fort Wayne, Department of Redevelopment and is by reference incorporated herein and made a part hereof, is in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Hinga, Kraus

Date : 2-27-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-16-73 on the 27th day of February, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the acting Mayor, City Controller of the City of Fort Wayne, Indiana, on the 28th day of February, 1973, at the hour of 7:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 5th day of March, 1973, at the hour of 4:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-02-04

RESOLUTION NO. R-DEFEATED
(MOTION RECONSIDERATION FEBRUARY 27, 1973)

A RESOLUTION APPROVING BUDGET OF FORT WAYNE
AND ALLEN COUNTY CONVENTION AND TOURISM
AUTHORITY FOR 12-MONTH PERIOD, BEGINNING
1-1-73 and ending 12-31-73.

TABLED - UNTIL THE NEXT COMMON COUNCIL MEETING MARCH 13, 1973

BILL NO. R-73-02-31

RESOLUTION NO. R-LOST

A RESOLUTION authorizing the Department of Urban Affairs to apply for a grant.

WHEREAS, the Department of Health, Education and Welfare has available funds for grants to communities for the purpose of educating local citizens, elementary and secondary school children with the knowledge of environmental problems and solutions; and

WHEREAS, obtaining such a grant would be highly beneficial to the citizens of Fort Wayne in that it would permit the making of an environmental educational film to be shown to adults and children throughout the City and its surrounding areas in regard to local pollution problems and their cures; and

WHEREAS, the maximum cost of such a film would be \$62,500.00; and

WHEREAS, the maximum from the Department of Health, Education and Welfare would be \$50,000.00 and the city's contribution would be \$12,500.00 in in-kind services and/or cash.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the Department of Urban Affairs of the City of Fort Wayne is hereby authorized to apply for such a grant.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols seconded by Talarico, and duly adopted, placed on its passage. LOST by the following vote:

Ayes: One
Moses

Nays: Six
Burns, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

Absent: Two
Hinga, Kraus

Date: 2-27-73

Charles W. Westerman
City Clerk

BILL NO. R-73-02-33

RESOLUTION NO. R-07-73

A RESOLUTION transferring certain funds in the 1973 Budget of Three Rivers Coordinating Council.

WHEREAS, there are insufficient funds in Account No. 82-3-363, Other Office Supplies, to efficiently classify expenditures; and

WHEREAS, there are sufficient funds in Account No. 82-2-362, Stationery & Printing, to cover such expenditures.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sum is hereby transferred from the following account:

\$700.00 From Account No. 82-3-362, Stationery & Printing
\$700.00 To Account No. 82-3-363, Other Office Supplies

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Nuckols, Moses, D.Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Hinga, Kraus

Date: 2-27-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution R-07-73 on the 27th day of February, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the acting Mayor, City Controller of the City of Fort Wayne, Indiana, on the 28th day of February, 1973, at the hour of 7:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 5th day of March, 1973, at the hour of 4:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-02-35

RESOLUTION NO. R-08-73

A RESOLUTION transferring certain funds in the 1973 Budget of the City of Fort Wayne - Motor Vehicle Highway Department.

WHEREAS, the detailed budget of the Motor Vehicle Highway Department for the year 1973 was prepared in summary fashion as in previous years; and in order for the Street Department to more closely conform with accounting procedures of the Civil City of Fort Wayne, the following transfers are to be effected within the Motor Vehicle Highway Department:

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sums are hereby transferred from the following account:

TRANSFER FROM:

28-2-261	Slurry, Repave and Other Improvements	\$100,000
28-3-370	Other Supplies	50,000
28-7-722	Motor Equipment and Rental	1,200

TRANSFER TO:

28-2-252	Equipment Repair	\$ 89,150
28-2-226	Utilities	7,900
28-2-212	Postage	200
28-2-213	Travel Expense	1,500
28-2-241	Printing, Other Than Office	1,250
28-3-321	Gas and Oil	24,000
28-3-324	Other Garage and Motor Supplies	25,000
28-3-363	Other Office Supplies	1,000
28-7-725	Office Equipment	1,200

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Hinga, Kraus

Date: 2-27-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-08-73 on the 27th day of February, 1973

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the acting Mayor, City Controller of the City of Fort Wayne, Indiana, on the 28th day of February, 1973, at the hour of 7:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 5th day of March, 1973, at the hour of 4:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-02-36

RESOLUTION NO. R-09-73

A RESOLUTION transferring certain funds in the 1973 Budget of the Expressway Fund to the General Fund.

WHEREAS, The Expressway Fund carried in the accounts of the City Controller's Office was originally established through tax levy; and

WHEREAS, the City Controller's Office can find no records of expenditures from this fund since its original creation nor is there any present proposed expenditures; and

WHEREAS, according to Burns 61-1202, the Expressway Fund is properly classified as dormant and the balance of \$82,353.10 should be transferred to the General Fund.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sum is hereby transferred from the following account:

From Account No. 35,	Expressway Fund	\$82,353.10
To Account No. 10,	General Fund	\$82,353.10

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Hinga, Kraus

Date: 2-27-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-09-73 on the 27th day of February, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the acting Mayor, City Controller of the City of Fort Wayne, Indiana, on the 28th day of February, 1973, at the hour of 7:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 5th day of March, 1973, at the hour of 4:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-02-05

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance approving vacation of an unopened portion of Glenwood Avenue have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS.

John Nuckols
Vivian G. Schmidt
William T. Hinga
Paul M. Burns
D. Schmidt

Date: 2-27-73 Concurred in

Charles W. Westerman
City Clerk

BILL NO. S-73-02-05

SPECIAL ORDINANCE NO. S-17-73

AN ORDINANCE approving vacation of an
unopened portion of Glenwood Avenue.

WHEREAS, Robert E. Livergood, Sr. and Naomi Livergood and Clayton T. Hetrick and Roberta G. Hetrick have petitioned the City Plan Commission and the Common Council to approve the vacation of the following described portion of a street located within the City of Fort Wayne, Indiana, to-wit:

That portion of Glenwood Avenue commencing at a point of the southeast corner of Lot No. 4 of Arnold's suburban Division (recorded in Plat Book 17 at page 95 in the office of the County Recorder of Allen County, Indiana) and running in a westerly direction along the aforementioned Lot No. 4 a distance of 292 feet and then in a southerly direction a distance of 50 feet to the northwest corner of Lot No. 5 of the aforementioned division and then in an easterly direction 292 feet to the northeast corner of Lot No. 5 and then in a northerly direction to the place of beginning, such place of beginning being the southeast corner of Lot No. 4 in the aforementioned division, this right of way being 50 feet in width and 292 feet in length.

WHEREAS, the Plan Commission gave due notice of a public hearing on said petition and held said public hearing on November 27, 1972, at 7:30 o'clock P.M.; and,

WHEREAS, The Plan Commission following said public hearing approved said vacation on November 27, 1972;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the vacation of said portion of a street hereinabove described conforms to the general policy and pattern of development set out in the master plan of the City of Fort Wayne, Indiana;
2. That the vacation of said portion of a street hereinabove described be and the same is hereby approved; and,
3. That this Ordinance be forwarded to the Board of Public Works of the City of Fort Wayne, Indiana, for the action it deems advisable.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
 Burns, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
 Nays: None
 Absent: Two
 Hinga, Kraus

Date: 2-27-73

Charles W. Westerman
 City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-17-73 on the 27th day of February, 1973.

ATTEST: (SEAL)

Charles W. Westerman
 City Clerk

Winfield C. Moses, Jr.
 Presiding Officer

Presented by me to the acting Mayor, City Controller of the City of Fort Wayne, Indiana, on the 28th day of February, 1973, at the hour of 7:30 o'clock A.M., E.S.T.

Charles W. Westerman
 City Clerk

Approved and signed by me this 5th day of March, 1973, at the hour of 4:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
 Mayor

BILL NO. Z-73-02-08

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending Section 24, Article V of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana pertaining to certain filing fees have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS.

John Nuckols
 Vivian G. Schmidt
 William T. Hinga
 D.J. Schmidt

Date concurred in 2-27-73

Charles W. Westerman
 City Clerk

BILL NO. Z-73-02-08

ZONING ORDINANCE NO. Z-02-73

AN ORDINANCE amending Section 24, Article V of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana pertaining to certain filing fees.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Section 24 A of the Fort Wayne Municipal Code Chapter 36 is hereby repealed and in lieu thereof a new Section 24 A of said Code is hereby enacted as follows:

Section 24 - Filing Fees

- A. For each application for an Improvement Location Permit, the sum of six dollars (\$6.00) to be paid to and collected by the Building Commissioner.

SECTION 2. In all respects except as hereinabove amended said Chapter 36 of the Municipal Code of the City of Fort Wayne remains in full force and effect.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approved by the Mayor and due publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols seconded by V. Schmidt, as duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Five
Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: One
Burns
Abstained: One
Moses
Absent: Two
Hinga, Kraus

Date: 2-27-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-02-73 on the 27th day of February, 1973.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the acting Mayor, City Controller of the City of Fort Wayne, Indiana, on the 28th day of February, 1973, at the hour of 7:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 5th day of March, 1973, at the hour of 4:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

SUSPENSION OF RULES

BILL NO. G-73-02-30

Councilman Nuckols, moved to suspend the rules on passage of BILL NO. G-73-02-30, at this meeting of February 27, 1973, of the Common Council of the City of Fort Wayne, Indiana. Said motion was seconded by Councilman Talarico, and duly passed unanimous vote of all legally elected members of the said Common Council. The above BILL and GENERAL ORDINANCE NO. G-05-73 was accordingly placed on its passage.

DATE: 2-27-73

Winfield C. Moses, Jr.
Presiding Officer

Charles W. Westerman
City Clerk

Ayes: Seven

Burns, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico

Nays: None

Absent: Two

Hinga, Kraus

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-05-73.

ATTEST: (SEAL)

DATE: 2-27-73

Charles W. Westerman
City Clerk

BILL NO. G-73-02-30

GENERAL ORDINANCE NO. G-05-73

AN ORDINANCE confirming an Approval Order of the Fort Wayne City Plan Commission concerning the Harmar Street Project I proposed by the Fort Wayne Redevelopment Commission and confirming the Declaratory Resolution - Harmar Street Project I of the Fort Wayne Redevelopment Commission.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Fort Wayne Redevelopment Commission adopted Declaratory Resolution - Harmar Street Project I on December 11, 1972, based on plans filed in the office of said Redevelopment Commission; a copy of which Declaratory Resolution is attached hereto, made a part hereof and marked "Exhibit A".

SECTION 2. That the Plan Commission of the City of Fort Wayne at its regular meeting on December 18, 1972, adopted and issued a written order approving said Declaratory Resolution and the Urban Renewal Plan referred to therein relative to the said Harmar Street Project I; a copy of which Approval Order is attached hereto, made a part hereof and marked "Exhibit B".

SECTION 3. That the foregoing actions set forth in Sections 1 and 2 herein of the said Redevelopment Commission and said City Plan Commission are in accordance with the provisions of the Redevelopment of Cities and Towns Act of 1953, (Chapter 176 of the Acts of 1953 of the General Assembly of the State of Indiana, as Amended and Supplemented) and said actions are hereby approved, ratified and confirmed.

SECTION 4. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Hinga, Kraus

Date: 2-27-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-05-73 on the 27th day of February, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the acting Mayor, City Controller of the City of Fort Wayne, Indiana, on the 28th day of February, 1973, at the hour of 7:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 5th day of March, 1973, at the hour of 4:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. G-73-02-10

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending the Plumbing Ordinance of the City of Fort Wayne, Indiana, Chapter 39 of the Municipal Code, by deleting Sections, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 17, 22 and 27, and by adding thereto sections for registering Plumbing contractors have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS. (licensed by the Indiana Plumbing Commission)

John Nuckols
Vivian G. Schmidt
William T. Hinga
Paul M. Burns
Donald J. Schmidt

Concurred in 2-27-73

Charles W. Westerman
City Clerk

BILL NO. G-73-02-10

GENERAL ORDINANCE NO. G-04-73

An Ordinance amending the Plumbing Ordinance of the City of Fort Wayne, Indiana, Chapter 39 of the Municipal Code, by deleting Sections 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 22, and 27, and by adding thereto sections for registering plumbing contractors licensed by the Indiana Plumbing Commission.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA.

SECTION 1. It is the purpose of this ordinance to bring the Plumbing Ordinance of the City of Fort Wayne, Indiana, into compliance with the Statutes of the State of Indiana, adopted in 1971, which provide for an Indiana Plumbing Commission and the issuance of licenses by said Commission to all plumbing contractors, journeymen plumbers and certificates of registration to all apprentice plumbers in the State of Indiana, the only function now authorized for cities and other political subdivision of the State by said legislation with regard to the qualifications of plumbers being the registration of plumbing contractors as duly licensed by the Indiana Plumbing Commission.

SECTION 2. Chapter 39 of the Municipal Code of the City of Fort Wayne, Indiana, is hereby amended by removing therefrom the following sections:

- Section 4. Board of Examiners.
- Section 5. Meeting of Boards Examinations.
- Section 6. License Required.
- Section 7. Applications and Qualifications of Master Plumbers.
- Section 8. Same - Failure of Examinations.
- Section 9. Same - Definitions.
- Section 10. Same - Fees.
- Section 11. Same - Licenses for Firms, Combinations or Corporations.
- Section 12. Same - Term of License.
- Section 13. Same - Performance and Indemnity Bond.
- Section 14. Application and Qualifications of Journeyman Plumbers.
- Section 15. Same - Definitions.
- Section 17. Unlawfully Securing Permits for Others.
- Section 22. Revocation of License.
- Section 27. Penalties.

SECTION 3. Chapter 39 of the Municipal Code of the City of Fort Wayne, Indiana, is hereby amended by adding thereto the following to replace those sections deleted by this Ordinance:

SECTION 4. Registration Required

It shall be unlawful for any person, firm, co-partnership, association, or corporation to act in the capacity of a plumbing contractor in the City of Fort Wayne, Indiana, without first obtaining a license from the Indiana Plumbing Commission as a plumbing contractor and without registering with the Building Commissioner of the City of Fort Wayne as provided in Chapter 37 Section 109.3.2 following the issuance of said State license.

SECTION 5. Same - Definitions

Plumbing contractors, as designated in this Chapter shall mean any persons, firms, co-partnerships, associations, or corporations, who, for compensation, undertake to, or submit a bill to, or does himself or itself or by others, construct, repair, alter, remodel, add to, subtract from, or improve plumbing as said term is defined by the Statutes of the State of Indiana, and who is responsible for substantially all the plumbing within the entire project or one who fabricates units of plumbing substantially completed and ready for installation.

License, as designated in this Chapter, shall mean a certificate issued by the Indiana Plumbing Commission which confers upon the holder a privilege to act as a plumbing contractor within the State of Indiana.

SECTION 6. Certificate not Transferable.

A Certificate of Registration issued by the Building Commissioner is not transferable. No registered plumbing contractor shall act as the agent for a plumber who has not obtained a Certificate of Registration and a plumbing contractor's license from the Indiana Plumbing Commission. A violation of this rule will be deemed a sufficient reason by the Building Commissioner of the

City for the cancellation of a new Certificate of Registration.

SECTION 7. Unlawfully Securing Permits for Others.

Any person registered as required by this Chapter, who shall take out or secure a permit such as required by this Chapter for work to be done by any person not connected with such registered person nor in the employ of such person, or who shall allow his or its name to be used by any other person, firm, co-partnership, association, or corporation for the purpose either of doing any such work or obtaining permit therefor, shall upon such act, upon conviction thereof, forthwith forfeit his Certificate of Registration, and the Building Commissioner and Chief Plumbing Inspector, Board of Public Health, or either of them, shall thereafter refuse to issue any further permits to construct, install, alter or repair any plumbing or plumbing equipment under any Certificate of Registration so forfeited.

SECTION 8. Revocation of Certificate of Registration

The Board of Public Health of the City shall be empowered to revoke the Certificate of Registration of any plumbing contractor where the provisions of this Code have been violated, upon charges brought by the Building Commissioner.

SECTION 9. Penalties and Certification to Indiana Plumbing Commission.

Any person registered under the provisions of this Code, or any person including owners of and agents for, real estate being improved by work governed by the provisions of this Chapter who shall violate any of the provisions of this Chapter or fail to comply with any of such provisions, shall be subject, upon conviction thereof, to a fine of not less than Ten Dollars (\$10.00) nor more than One Hundred Dollars (\$100.00) for the first offense; and for the second and each subsequent offense thereafter not less than Twenty-Five Dollars (\$25.00) nor more than Two Hundred Dollars (\$200.00). If any plumbing contractor should fail to obtain a Certificate of Registration or any annual renewal thereof as provided in this Chapter that fact shall be certified by the Building Commissioner to the Indiana Plumbing Commission for any action it deems necessary.

SECTION 10. If any part, parts, section, sections, provision, clause or portion of this Ordinance shall be adjudged invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of this Ordinance as a whole or of any other part, section, clause, provision, or portion of this Ordinance.

SECTION 11. This Ordinance shall be in full force and effect from and after its passage, and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Six

Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico

Nays: One
 Burns
 Absent: Two
 Hinga, Kraus

Date: 2-27-73

Charles W. Westerman
 City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-04-73 on the 27th day of February, 1973.

ATTEST: (SEAL)

Charles W. Westerman
 City Clerk

Winfield C. Moses, Jr.
 Presiding Officer

Presented by me to the acting Mayor, City Controller of the City of Fort Wayne, Indiana, on the 28th day of February, 1973, at the hour of 7:30 o'clock A.M., E.S.T.

Charles W. Westerman
 City Clerk

Approved and signed by me this 5th day of March, 1973, at the hour of 4:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
 Mayor

BILL NO. S-73-02-12

REPORT OF THE COMMITTEE ON PUBLIC WORKS

We, your Committee on Public Works to whom was referred an Ordinance approving Gift of Conveyance of real estate from Amos Bauman and Mary Alice Bauman, husband and wife have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS.

James S. Stier
 Eugene Kraus, Jr.
 Samuel J. Talarico
 William T. Hinga
 Vivian G. Schmidt

Concurred in 2-27-73

Charles W. Westerman
 City Clerk

BILL NO. S-73-02-12

SPECIAL ORDINANCE NO. S-18-73

AN ORDINANCE approving Gift of Conveyance of real estate from Amos Bauman and Mary Alice Bauman, husband and wife.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The agreement of Amos Bauman and Mary Alice Bauman, husband and wife, each over the age of 21 years, with the City of Fort Wayne, by and through its Mayor and Board of Public Works, for the real estate described as follows, to-wit:

The west forty (40) feet of the following described real estate in the west one half of the southwest one quarter of Section 29, Township 31 North, Range 13 East, Allen County, Indiana, more particularly described as follows:

Beginning at a point on the west line of the said one half of the southwest one quarter, 1774.52 feet south of the west one quarter corner of the said Section 29; thence north 88 degrees, 59 minutes east 272 feet; thence south parallel with the west line of the said west one half of the southwest one quarter, 160 feet; thence south 88 degrees, 59 minutes west, 272 feet to the west line of the said one half of the southwest one quarter; thence north on the west line of the said west one half of the southwest one quarter, 160 feet to the place of beginning;

is hereby in all things ratified, confirmed and approved.

SECTION 2. The City of Fort Wayne is authorized to accept Deed of Gift for said hereinabove described real estate from Amos Bauman and Mary Alice Bauman, husband and wife.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

James S. Stier
Councilman

Read the third time in full and on motion by Stier seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Muckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Kraus, Hinga

Date: 2-27-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-18-73 on the 27th day of February, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the acting Mayor, City Controller of the City of Fort Wayne, Indiana, on the 28th day of February, 1973, at the hour of 7:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 5th day of March, 1973, at the hour of 4:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-02-13

REPORT OF THE COMMITTEE ON PUBLIC WORKS

We, your Committee on Public Works to whom was referred an Ordinance approving Change Order No. 1 of L. W. Dailey, Incorporated, for additional work performed in construction of Dodge Avenue from Elwood Drive to Reed Road have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS.

James S. Stier
Samuel J. Talarico
Vivian G. Schmidt

Concurred in 2-27-73

Charles W. Westerman
City Clerk

BILL NO. S-73-02-13

SPECIAL ORDINANCE NO. S-19-73

AN ORDINANCE approving Change Order No. 1 of L. W. Dailey, Incorporated, for additional work performed in construction of Dodge Avenue from Elwood Drive to Reed Road.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1 of L. W. DAILEY, INCORPORATED, approved January 18, 1973 by the City of Fort Wayne, by and through its Mayor and Board of Public Works, for contract approved under Ordinance No. S-05-72, for additional work performed in construction of Dodge Avenue from Elwood Drive to Reed Road, in the amount of \$1350.10, a copy of which Change Order is attached hereto and

made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

James S. Stier
Councilman

Read the third time in full and on motion by Stier, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Kraus, Hinga

Date: 2-27-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-19-73 on the 27th day of February, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the acting Mayor, City Controller of the City of Fort Wayne, Indiana, on the 28th day of February, 1973, at the hour of 7:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 5th day of March, 1973, at the hour of 4:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-02-14

REPORT OF THE COMMITTEE ON CITY UTILITIES

We, your Committee on City Utilities to whom was referred an Ordinance approving a contract with the REDEVELOPMENT COMMISSION for purchase of property in the Hanna-Creighton redevelopment area have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS.

Paul M. Burns
Vivian G. Schmidt
D. J. Schmidt

Concurred in 2-27-73

Charles W. Westerman
City Clerk

BILL NO. S-73-02-14

SPECIAL ORDINANCE NO. S-20-73

AN ORDINANCE approving a contract with the REDEVELOPMENT COMMISSION for purchase of property in the Hanna-Creighton redevelopment area.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain contract approved January 18, 1973 between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and the REDEVELOPMENT COMMISSION, for:

The purchase of Lots #17 and #18
plus the east 5 ft. of Lot #16,
Hanna-Creighton Subdivision in
the City of Fort Wayne for Wallace
Substation,

for a total cost of \$21,903.50, all as more particularly set forth on CITY UTILITIES PURCHASE ORDER NO. 9008, which is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Muckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Hinga, Kraus

Date: 2-27-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-20-73 on the 27th day of February, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the acting Mayor, City Controller of the City of Fort Wayne, Indiana, on the 28th day of February, 1973, at the hour of 7:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 5th day of March, 1973, at the hour of 4:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

SUSPENSION OF RULES

BILL NO. S-73-02-24

Councilman Burns, moved to suspend the rules on passage of BILL NO. S-73-02-24, at this meeting of February, 27, 1973, of the Common Council of the City of Fort Wayne, Indiana. Said motion was seconded by Councilman Talarico, and duly passed by unanimous vote of all legally elected members of the said Common Council. The above BILL and SPECIAL ORDINANCE NO. S-21-73, was accordingly placed on its passage.

DATE: 2-27-73

Winfield C. Moses, Jr.
Presiding Officer

Charles W. Westerman
City Clerk

Ayes: Seven
Burns, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Hinga, Kraus

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-21-73.

ATTEST: (SEAL)

DATE: 2-27-73

Charles W. Westerman
City Clerk

BILL NO. S-73-02-24

SPECIAL ORDINANCE NO. S-21-73

AN ORDINANCE approving a contract with
LESTER SALES (HAFCO) for equipment to
be used on the Washington-Maumee Lighting
Project.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain contract approved February 22, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and LESTER SALES (HAPCO), for:

62	Alum. breakaway lighting poles with 8' bracket arm. Hapco Lester Sales Co. Shaft Cat. #56666-001 Arm Cat. #5667-002	\$12,152.00
19	35' Alum. breakaway lighting poles with double 8' arm bracket arms. Hapco Lester Sales Co. Shaft Cat. #56666-002 Arm Cat. #5667-002	<u>\$ 4,484.00</u>
	TOTAL	\$16,636.00

all as more particularly set forth on CITY UTILITIES PURCHASE ORDER NO. 9569, which is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Muckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Hinga, Kraus

Date: 2-27-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-21-73 on the 27th day of February, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Acting Mayor, City Controller of the City of Fort Wayne, Indiana, on the 28th day of February, 1973, at the hour of 7:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 5th day of March, 1973, at the hour of 4:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-02-32

RESOLUTION NO. R-10-73

A RESOLUTION authorizing payment
for repairs to a City-owned planter.

WHEREAS, Thomas D. Oswald, in an accident, damaged the planter at 2500 Maple Place; and

WHEREAS, settlement in the amount of \$224.25 was paid by the Economy Fire and Casualty Co. to the Controller's Office, which money was received into the General Fund; and

WHEREAS, City Utilities has submitted an invoice in the amount of \$224.25, which sum is the reasonable value of said repairs;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is authorized to pay the sum of \$224.25 to City Utilities for repairs to said planter.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Hinga, Kraus

Date: 2-27-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-10-73 on the 27th day of February, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the acting Mayor, City Controller of the City of Fort Wayne, Indiana, on the 28th day of February, 1973, at the hour of 7:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 5th day of March, 1973, at the hour of 4:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-02-34

RESOLUTION NO. R-11-73

A RESOLUTION ENDORSING CHILD ACTIVITY
PROGRAM

WHEREAS, in our community, 70% of working mothers have children between ages 6 and 15, and lack the resources for After School Activity; and

WHEREAS, many of these children have no place to play, nothing to do, and nowhere to go before and after school closes; and

WHEREAS, as more women are employed away from home there is more need for a place where a school age child can be cared for during after school hours; and

WHEREAS, community organizations such as athletic or girls' clubs are usually limited in what they intend and are able to provide and where hours of participation may be restricted and the scope of activities may be narrow; and

WHEREAS, school age children normally spend much of their time away from the family and day care for these children provides a well planned way for the children and families to benefit from these away-from-home hours; and

WHEREAS, one of the largest areas of unrecognized neglect lies in the need for care of school age children who are left to care for themselves out of school hours, during holidays and vacation time; and

WHEREAS, a pilot program for Junior High and Senior High students is now in operation on Saturday mornings for 10 weeks and at three Junior High Schools serving in excess of 200 boys; and

WHEREAS, more school gymnasiums need to be made available for expansion of after school recreation programs, and

WHEREAS, said program is a cooperative planning effort between many private and public agencies and is being funded by Indiana Criminal Justice Planning Agency to prove the need for an expanded program.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Fort Wayne, Indiana that it does hereby endorse to concept of After School Activity Programs and commits itself to consider future financial requests made by the Fort Wayne Park Board to expand this program, and

BE IT FURTHER RESOLVED that said Common Council encourages the Fort Wayne Community Schools to make available more school gymnasiums and facilities for after school recreation programs.

Samuel J. Talarico
Councilman

Read the third time in full and on motion by Talarico seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Hinga, Kraus

Date: 2-27-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-11-73 on the 27th day of February, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Councilman

Presented by me to the acting Mayor, City Controller of the City of Fort Wayne, Indiana, on the 28th day of February, 1973, at the hour of 7:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 5th day of March, 1973 at the hour of 4:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

The Council then adjourned.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of the City of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City Fort Wayne, Indiana for its Regular Session, held on Tuesday the 27th day of February, 1973; that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 27th day of February, 1973.

(SEAL)

Charles W. Westerman
City Clerk

Mumutes approved and signed in open council this 13th day of March, 1973.

CITY CLERK

PRESIDING OFFICER